

**FRESNO COUNTY AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR
TAX COLLECTION DIVISION**

**CLAIM FOR EXCESS PROCEEDS FROM
THE SALE OF TAX DEFAULTED PROPERTY**

(Instructions for completion on reverse side)

TO: Vicki Crow, Auditor-Controller/Treasurer-Tax Collector

RE: APN _____ Date of Sale: March 3, 2003

I, the undersigned claimant, request that I be awarded excess proceeds in the amount of \$ _____ resulting from the sale of the above property.

I claim my status as a party of interest pursuant to California Revenue and Taxation Code Section 4675. I hereby state that I am a rightful claimant and base my status and right to file this claim on the following information and documentation:

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**PLEASE ENCLOSE COPIES OF DOCUMENTS SUPPORTING YOUR CLAIM AND COPY
OF YOUR PHOTO IDENTIFICATION.**

I affirm under penalty of perjury that the foregoing is true and correct.

Executed on _____, at _____.
Date City and state

Signature of claimant

Printed name

Mailing address:

Phone: _____

INSTRUCTIONS FOR FILING CLAIM

(Claim form on reverse side)

California Revenue and Taxation Code Section 4675 states in part (paraphrased):

For the purposes of this article, parties of interest and their order of priority are:

- (a) First, lienholders of record prior to the recordation of the tax deed to the purchaser in the order of their priority; and,
- (b) Then, any person with title of record to all or any portion of the property prior to the recordation of the tax deed to the purchaser.

If you consider yourself to be a party of interest in the sale of tax defaulted property as defined above, complete the claim form on the reverse side stating the basis for your status as a party of interest.

The law requires that a claim be filed within one year of the date of the Tax Collector's recording of the deed to the purchaser. **Therefore, it is critical that a completed claim form be received in our Tax Collection Division office or postmarked no later than March 17, 2004.** By law, we cannot accept claims after one year from the recorded date, nor can we begin processing of claims until one year has passed from the same date.

The law protects parties of interest by requiring that any assignment, to another person, of the right to claim excess proceeds, can be made only by means of a dated, written document. The document must specifically state that the right to claim excess proceeds is being assigned, and that each party to the transaction has informed the other of the value of the right being assigned. In addition, Fresno County requires the document to be notarized and requires a copy of a photo identification card for both the assignee and the assignor.

YOU MUST ATTACH COPIES OF DOCUMENTS SUPPORTING YOUR CLAIM AS FOLLOWS:

1. In case (a) above, attach a copy of your trust deed or other evidence of lien or security interest and a copy of your photo identification.
2. In case (b) above, attach copies of any documents (e.g., deed, death certificate, will, court order, etc.) supporting your claim and a copy of your photo identification.

The Tax Collector will submit a recommendation to the Board of Supervisors regarding the disposition of the excess proceeds. If the Board's review results in the approval of the claim, a county check will be issued in payment. However, the law does not allow the issuing of the check prior to 90 days following the action taken by the Board of Supervisors.

MAIL COMPLETED FORMS TO:

Fresno County Tax Collector
P.O. Box 1192
Fresno, California 93715

FOR INFORMATION CALL:

Fresno County Tax Collector
Tax Collection Division
(559) 488-3482, Cathy Lilly
or Rolein Hiatt